

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Elections - General / Bye-Elections to House of People, Andhra Pradesh Legislative Assembly and Andhra Pradesh Legislative Council and Revision of Electoral Rolls of Assembly and Council Constituencies - Payment of Ex-gratia compensation to the families of personnel engaged for election related work and who die or sustain injuries while on Election duty - Orders - Issued.

GENERAL ADMINISTRATION (ELECTIONS-B) DEPARTMENT

G.O.MS.No. 321

Dated: 04.12.2014

Read the following:

1. G.O.Ms.No.151, G.A. (Elecs.B) Department, dated 29.03.1996.
2. G.O.Ms.No.572, G.A. (Elecs.B) Department, dated 31.12.1997.
3. G.O.Ms.No.133, G.A. (Elecs.B) Department, dated 17.04.1998.
4. G.O.Ms.No.384, G.A. (Elecs.B) Department, dated 01.09.1999.
5. G.O.Ms.No.95, G.A. (Elecs.B) Department, dated 29.03.2004.
6. G.O.Ms.No.113, G.A. (Elecs.B) Department, dated 19.04.2004.
7. G.O.Ms.No.317, G.A. (Elecs.B) Department, dated 07.07.2006.
8. G.O.Ms.No.134, G.A. (Elecs.B) Department, dated 07.03.2008.
9. G.O.Ms.No.345, G.A. (Elecs.B) Department, dated 07.07.2009.
10. G.O.Ms.No.614, G.A. (Elecs.B) Department, dated 09.11.2011.
11. From the Election Commission of India, New Delhi Lr.No.218/6/2014/EPS, dated 25.03.2014.
12. From the Election Commission of India, New Delhi Lr.No.218/6/2014/EPS, dated 25.04.2014.

ORDER:

In the G.O first read above, orders have been issued providing financial assistance and other benefits mentioned therein to the bereaved families of the employees engaged on Election Duty, other than the Police personnel who are covered by another Insurance Scheme in Home Department, during the General Elections to House of People, 1996 who in the course of discharge of duty are killed by the extremists / anti-social elements / sustained injuries resulting in permanent disabilities on account of election duty.

2. In the G.O second read above, while re-iterating the scheme of sanction of ex-gratia during the elections for House of People, 1996, orders have been issued delegating the powers of sanction of ex-gratia in terms of the orders issued vide G.O first read above to the District Collectors and the Commissioner, Municipal Corporation of Hyderabad (i.e., all the District Election Officers) in case of death / permanent incapacitation of the personnel drafted for election duty in order to cut the delay and in respect of other cases of injuries etc., to report the facts to Government along with Medical Certificates for taking necessary sanction.

3. As the Government has felt the need to issue separate orders for providing the benefit of payment of ex-gratia to the families of personnel who die in the course of discharge of election duties, due to natural causes or accidents and to delegate the powers to District Election Officers to sanction and disburse ex-gratia in all such cases, vide G.O third read above, orders have been issued sanctioning the ex-gratia / financial

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assistance, as per the slabs mentioned therein, to the families of personnel drafted on election duty, other than the Police personnel, who die in the course of discharge of election duties either due to natural causes such as heart attack etc., or accidents in addition to the usual benefits applicable to Government Employees who die in harness. Further, the powers of sanction of the said benefits have been delegated to the Collectors & District Election Officers of respective districts and Commissioner, Municipal Corporation of Hyderabad, Hyderabad.

4. In the G.O fourth read above, while re-iterating the applicability of the benefits of G.Os first and third above to the General Elections to the House of People / A.P. Legislative Assembly, 1999, based on the recommendation of the Election Commission of India, vide its letter No.218/6/98/PLN-I, dated 25.11.1998 that reasonable ex-gratia be sanctioned to the Drivers / Cleaners and Helpers engaged on private vehicles not owned by State Government / Central Government or their Undertakings, certain benefits, as indicated therein, have been extended to the Drivers, Cleaners and Helpers of private vehicles who die or injured due to extremists / anti-social elements or due to natural causes or accidents while performing the election duties to House of People / A.P. Legislative Assembly, 1999.

5. In the G.Os fifth and sixth read above, the benefit of payment of ex-gratia / financial assistance and other benefits ordered vide references first, third and fourth read above has been enhanced and extended to the General Elections to House of People and Andhra Pradesh Legislative Assembly, 2004.

6. In the G.O seventh read above, in view of the certain guidelines issued by the Government of India to be observed during payment of relief / ex-gratia compensation from different sources, the orders issued vide G.O. sixth read above have been modified partially, with effect from the date of issue of the said orders.

7. In the G.O eighth read above, the benefits of orders issued vide G.Os sixth and seventh read above have been extended to all cases of death/permanent incapacitation during all elections / bye-elections to House of People / Andhra Pradesh Legislative Assembly / Andhra Pradesh Legislative Council and preparation of Electoral Rolls / Photo Rolls and also extended the benefits provided to the Drivers, Cleaners and Helpers of private vehicles under para 4 of G.O. sixth read above to all public servants who die or injured due to natural causes or accidents while performing the election duties.

8. In view of certain recommendations of the Election Commission of India, vide its letter No.218/6/2009/EPS, Dt.17.02.2009 for direct payment of ex-gratia compensations instead of through Group Insurance Schemes, the Government after examination of the matter, in partial modification of the G.Os. sixth, seventh and eighth read above, has enhanced the sanction of ex-gratia payment, vide G.O. ninth read above, to the next kin of the deceased employee while on election duty.

9. Further, vide G.O. tenth read above, the above said benefits have also been extended to all employees who are requisitioned for election duty and also for training classes during the elections to House of People / Andhra Pradesh Legislative Assembly including Police Personnel and Home Guards, who died while on election duty due to accident / heart attack / sun stroke or any other sudden illness, however, the next of kin of the deceased Police personnel / Home Guards may opt / choose either to avail the benefits under any other scheme of the State Government being implemented for them or under the orders of General Administration (Elections) Department.

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10. In connection with the conduct of General Elections to House of People and Andhra Pradesh Legislative Assembly, 2014, the Election Commission of India, vide letters 11th & 12th read above, has recommended for revision of slabs for ex-gratia payment in the event of any mishap to the election related officials, as mentioned in para 7 of its earlier letter dated 17.02.2009.

11. After careful examination of the said recommendations / clarifications of the Election Commission of India, the Government has accepted them in toto except for the categories of CAPFs/SAPs and other security forces personnel deployed for election duty and also observed the need to consolidate all the orders / instructions issued from time to time vide references first to tenth read above, so as to avoid confusion/ambiguity in the matter.

12. Accordingly, in supersession of all the previous orders / instructions issued from time to time vide references first to tenth read above, on the subject matter of payment of ex-gratia compensation to the families / next kin of the deceased personnel drafted for election duty, Government hereby issue the following consolidated orders:

i) The payment of ex-gratia compensation will be as detailed below and this shall be in addition to the usual benefits applicable to the Government employees who die in harness.

Sl. No	Item	Slab of Ex-gratia
1	In case death occurs due to accident, heart attack, sun stroke or any other sudden illness	20 times of the salary of the deceased official subject to a minimum of Rs.10.00 lakh.
2	If the death is unfortunately caused due to any violent acts of extremist or unsocial elements like road mines, bomb blasts, armed attacks etc.	Rs.20.00 lakh.
3	Permanent disability like loss of limb, eye sight, etc., from injuries	Rs.5.00 lakh (in case of such mishaps being caused by extremist or unsocial elements as item.2 above, the ex-gratia would be doubled)
4	Loss of 1 limb or 1 eye	Rs.1.50 lakh.
5	Permanent partial disablement	Percentage of 5.00 lakh in accordance with the percentage of permanent partial disablement, as certified by the respective Medical Board.
6	In case of any mishap to the election related officials caused due to violent acts of extremists or unsocial elements like mines, bomb blasts, armed attacks etc.	The Ex-gratia compensation will be doubled in respect of events at items 4 and 5 above.

ii) In case of violent acts of extremists or unsocial elements like mines, bomb blasts, armed attacks etc., apart from the above financial benefit, the following shall also be provided to the family / next kin of the deceased Government employee:

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- a. Last pay drawn by the deceased official shall be paid to the spouse till the date of superannuation of the deceased official. In case of death / re-marriage of the spouse, the next legal heir of the deceased official will get the last pay drawn till the date of the superannuation of the deceased official;
- b. Employment shall be provided to the spouse / children / dependent brother or sister of the deceased official as per existing rule ie., in G.O.Ms.No.812, General Administration (Ser.A) Department, dated 30.10.1991 and subsequent orders thereon issued from time to time;
- c. The family of the deceased official shall be paid House Rent Allowance based on the last pay drawn;
- d. House site shall be assigned, as per the eligibility to the family of deceased official by the District Collector concerned;
- e. Retirement Gratuity;
- f. Encashment of leave at credit;
- g. Write off of loans.

iii) The ex-gratia compensation indicated in the table at para 12 (i) above to the family of polling personnel who die or sustain injuries while on election duty shall also applicable to all personnel deployed in all types of election related duties i.e., all State Police, Home Guards, etc., any private persons like Drivers, Cleaners and Helpers etc., engaged on private vehicles not owned by State Government / Central Government or their undertakings, hired for deployment for election duty;

iv) The above ex-gratia compensation is also applicable in all cases of death / permanent incapacitation during all elections / bye-elections to House of People / Andhra Pradesh Legislative Assembly / Andhra Pradesh Legislative Council and preparation of Electoral Rolls / Photo Electoral Rolls;

v) The applicable period of election duty would start from the date of the announcement of the elections. In case of Revision of Electoral Rolls, it will be from the date of announcement of such Revision;

vi) A person “On Election Duty” is considered that as soon as he/she leaves his/her residence/office to report for any election related duty including training and until he/she reaches back his/her residence/office after performance of his/her election related duty. If any mishap takes place during this period, it should be treated as having occurred on election duty subject to the condition that there should be a causal connection between occurrence of death/injury and the election duty (as explained in Commission’s letter No.218/6/2006/EPS dt.05.11.2008);

vii) In respect of applicability of payment of ex-gratia compensation prescribed by the Commission, vide its letter No.218/6/2014/EPS dated 25.03.2014 (i.e., items 1, 2 & 3 of the table under para 12(i) above) to the CAPFs/SAPs and other security forces personnel deployed for election duty, as clarified by the ECI vide its letter dated 25.04.2014, further orders will be issued separately soon after receipt of concurrence from the Department of Pension and Pensioners Welfare and Ministry of Finance, Government of India as well as the clarification from the Election Commission of India;

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- viii) In case of the State Police personnel and Home Guards, the next of kin of the deceased Police personnel / Home Guards may opt / choose either to avail the benefits under any other scheme of the State Government being implemented for them by Home Department OR under these orders of General Administration (Elections-B) Department.
- ix) The expenditure on account of payment of ex-gratia compensation to the polling personnel shall wholly borne by Government of India during elections to Lok Sabha and by the State Government during elections to Legislative Assemblies and shared on a 50:50 basis during simultaneous elections to Lok Sabha and Legislative Assembly by the Government of India and concerned State Governments. The share of the Government of India is paid by the Ministry of Law, Justice & Company Affairs (Legislative Department) (as explained vide Commission's letter No.218/6/96-PS.II, dt.08.10.1996);
- x) In case of Lok Sabha elections, the payment of ex-gratia compensation shall be made by the State Government initially and the claims shall be made to the Government of India later on;
- xi) These orders shall come into force with effect from 05.03.2014 i.e., the date of announcement of General Elections to House of People (Lok Sabha) and Andhra Pradesh Legislative Assembly, 2014 by the Election Commission of India, vide its Press Note No. No.ECI/PN/10/2014, dated 05.03.2014.

13. All the Collectors & District Election Officers in the State of Andhra Pradesh are hereby delegated the powers to sanction the ex-gratia compensation in their jurisdiction. All such cases should be reported to the Government immediately on occurrence and the payment to the Legal Heir should be made immediately after giving a detailed order / proceedings of sanction of ex-gratia compensation. Copies of the orders / proceedings sanctioning the ex-gratia compensation to the bereaved families shall be marked to the Government in General Administration (Elections-B) Department. If there is no sufficient budget under relevant head of account, they have to refer the matter to the Chief Electoral Officer, together with the copies of all relevant documents and proceedings, for release of budget.

14. These orders issued with the concurrence of Finance (Expr.GAD.I) Department, vide their U.O.No.6150/165/A1/EBS-I/2014, dated 02.12.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

BHANWAR LAL
CHIEF ELECTORAL OFFICER &
E.O. PRINCIPAL SECRETARY TO GOVERNMENT

To

All the Collectors & District Election Officers in the State of Andhra Pradesh.

Copy to:

The Director General of Police, Andhra Pradesh, Hyderabad.

All the Commissioners / Superintendents of Police.

All Special Chief Secretaries / Principal Secretariat / Secretaries to Government.

All Departments in Andhra Pradesh Secretariat.

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The Accountant General, Audit-I, Andhra Pradesh, Hyderabad.
The Accountant General, Audit-II, Andhra Pradesh, Hyderabad.
The Pay and Accounts Officer, Andhra Pradesh, Hyderabad.
The Director of Treasuries and Accounts, Andhra Pradesh, Hyderabad.
All the District Treasury Officers in the State of Andhra Pradesh
All Officers and Sections in G.A. (Elections) Department.
Sri Tapas Kumar, Principal Secretary, Election Commission of India, Nirvachan Sadan,
Ashoka Road, New Delhi.
SF/SCs.

//Forwarded :: By Order//

SECTION OFFICER